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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, ) No.: CR 05-0507 WHA  
12 )  
Plaintiff, ) STIPULATION AND ORDER  
13 ) CONTINUING DATES FOR HEARING  
v. ) AND FOR DECISION ON MOTION  
14 )  
BERNARD THOMAS, JR., )  
15 )  
Defendant. )  
16 ) San Francisco Venue  
17

18  
19 STIPULATION

20 IT IS HEREBY STIPULATED by and between the parties, through their undersigned  
21 counsel that:

22 1. Government counsel assigned to this case and this motion is unavailable and out  
23 of the country until November 28, 2005.

24 2. The parties have been in communication concerning defendant's motion for  
25 discovery and disclosure of exculpatory evidence and defendant has agreed to a continuance until  
26 December 13, 2005, at 2:00 p.m.

11/14/05	/S/ PHILIP J. KEARNEY Assistant United States Attorney
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DATED: 11/14/05

\_\_\_\_\_/S/\_\_\_\_\_  
ELENA CONDES  
Counsel for defendant BERNARD THOMAS, JR.

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ORDER

Based upon the above Stipulation, and for good cause appearing, THE COURT HEREBY ORDERS THAT:

The hearing date on defendant's motion for discovery and disclosure of exculpatory evidence is continued to **December 13, 2005, at 2:00 p.m.**

SO ORDERED.

DATED: November 15, 2005



HON. WILLIAM ALSUP  
United States District Judge